

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

STEPHANIE A. FRANK a/k/a
STEPHANIE ANNE FRANK,

Defendant.

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MEMORANDUM & ORDER

Civil Action No. 10-306

APPEARANCES:

For the Plaintiff:

Michael T. Sucher, Esq.
26 Court Street, Suite 2412
Brooklyn, New York 12242

For the Defendant:

No Appearance

HURLEY, Senior District Judge:

Presently before the Court is the motion of Plaintiff United States of America (“Plaintiff”) for a default judgment in this action which seeks to recover the amounts due on Defendant Stephanie A. Frank’s (Defendant) student loan. The motion is granted.

This action was commenced on January 25, 2010. Defendant was served with the summons and complaint on January 30, 2010 by delivering a copy thereof to a person of suitable age and discretion at her home, together with mailing a copy to her home. Proof of service was filed on February 2, 2010. Defendant has failed to answer, appear, or otherwise move. On April 2, 2010, Plaintiff served the instant motion on the Defendant. On April 9, 2010 a notation of

default was entered.

As set forth in the Certificate of Indebtedness and the Affirmation of Michael T. Sucher, Defendant is indebted to the Plaintiff in the principal amount of \$13,239.00 plus interest at the rate of 8.250% in the amount of \$7.954.55 through March 24, 2010 and thereafter at the rate of \$2.99 per diem, plus costs in the amount of \$400.00 and is entitled to judgment therefor. Post-judgment interest shall be calculated pursuant to 28 U.S.C. § 1961.

Accordingly, the Clerk of Court is directed to enter judgment in favor of Plaintiff and against Defendant in the amount of \$21,593.55, plus interest at the rate of \$2.99 per diem from March 25, 2010 to the date of judgment. Upon entry of judgment the Clerk of Court is directed to close this case.

SO ORDERED.

Dated: Central Islip, New York
April 26, 2010

/s/ _____
Denis R. Hurley
Senior District Judge